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3 BILL NO. G-73-07-18 (AS AMENDED 11-25-73)

4 GENERAL ORDINANCE NO. G- 30-73

5 AN ORDINANCE amending the Building Code
6 of the City of Fort Wayne, Indiana, by
adding thereto a new Division _____.

7 WHEREAS, we live in an age of brotherhood and compassion
8 for all men; and

9 WHEREAS, there exists in Economic Region III (the Fort
Wayne area) 10,996 per 100,000 people who are afflicted with some
10 known disability; and

11 WHEREAS, there are countless other persons who due to
advanced age find certain impediments and hazards in making
12 proper use of said buildings:

13 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

14 Section 1. Chapters 37, 38, 39, 40 and 41 as amended
and recodified by General Ordinance No. G-66-66 passed by the
15 Common Council on June 14, 1966 and approved by the Mayor on
June 15, 1966 and all amendments thereto and supplements thereof
16 is hereby amended by adding thereto the following:

17 Section 2. The following buildings are included herein:

- 18 (a) All public buildings - city, county, state and fed-
19 eral.
20 (b) Cultural centers - theatres, museums, houses of
21 exhibits.
22 (c) Entertainment facilities - Movie houses, skating
23 rinks, sports arenas, dance halls, clubhouses,
24 lodges.
25 (d) Recreational facilities - auditoriums, zoos,
26 armories, coliseums, convention centers.
27 (e) Medical and dental facilities.
28 (f) Institutions - schools, nursing homes, church
29 centers.
30 (g) Churches and synagogues.
31 (h) Banks, insurance companies and utilities.
32 (i) Office Buildings.

33 Section 3. This Ordinance is applicable to:

- 34 3.1 (a) All new buildings as defined in Section 2.
35 (b) All buildings remodeled after passage of this
Ordinance where remodeling constitutes 50% of
the total value of the building.
3.2 This Ordinance is not applicable to:

- (a) Buildings that are remodeled which have an historical value.

3.3 Features outlined in this Ordinance for incorporation into building designs which are based on, and are consistent with, the American National Standard Institute's specifications for making buildings and facilities accessible to, and usable by, the physically handicapped.

Section 4. The following features will be incorporated in all buildings defined as such under Section 2.

4.1 Grading - The grading of ground, even if contrary to existing topography, will be level with, at least one of the primary entrances. Note: In lieu of this, see 4.4 of this Section.

4.2 Walks - Walkways will be at least 48 inches wide, uninterrupted by steps or abrupt changes in levels.

4.3 Parking Lots - Spaces that are accessible and approximate to the facility should be set aside and identified for individuals with physical disabilities confined to wheelchairs.

- (a) These spaces should be at least 12 feet wide. These spaces should be located so that individuals on crutches and in wheelchairs are not compelled to pass behind parked cars.
- (b) If curbs exist between parking lot and building entrance, at least one section shall be ramped and identified.

4.4 Ramp -

- (a) A ramp shall be required in lieu of grading described in 4.1 of this Section.
- (b) The ramp shall not have a slope greater than 1 foot rise in 12 feet.
- (c) The ramp shall have a handrail on at least one side that is 32 inches high. The surface is to be non-slip and have a level surface at both top and bottom.

4.5 Entrances - At least one primary entrance shall be usable by individuals in wheelchairs.

4.6 Doors - Doors shall have a clear opening of at least 32 inches when open and be operated with a single effect.

4.7 Stairs - Stairs shall have handrails which will be 32 inches high.

4.8 Rest Rooms - An appropriate number of rest rooms within the building shall be accessible to, and usable by, the physically handicapped.

- (a) Rest rooms shall have adequate space to allow wheelchair traffic.
- (b) Rest rooms shall have at least one toilet stall that

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- (1) is 3 feet wide;
 - (2) is 4 feet 8 inches deep, at least;
 - (3) has a door or opening 32 inches wide that swings out
 - (4) has handrails on each side - 33 inches high fastened at both ends and center;
 - (5) has a water closet with the seat 20 inches from the floor;
- (c) Rest rooms shall have at least one towel and other dispensing units no higher than 40 inches from floor.

4.9 Water Fountains - An appropriate number of water fountains/coolers shall be accessible to, and usable by, the physically disabled. Such devices shall have up-front spouts and controls, and be hand operated or hand and foot operated. These units must be mounted 30 inches from the floor.

4.10 Public Telephones -

- (a) An appropriate number of public telephones shall be accessible to, and usable by, the physically handicapped. Telephones shall be installed with a dial no higher than 48 inches from the floor.
- (b) At least one telephone shall be equipped so as to provide service to those with hearing disabilities (instructions for use will also be noted next to the phone).

4.11 Elevators - Where elevators are required in a building, at least one elevator shall be accessible to, and usable by, the physically handicapped on the level that they use to enter the building, and at all levels normally used by the general public.

4.12 Controls - Switches, mechanisms and controls for light, heat, ventilation, fire alarms and other controls of essential use shall be mounted so as to be reached by individuals in wheelchairs.

4.13 Seating Accomodations

- (a) Places of assembly with fixed seating arrangements in the aforementioned buildings shall provide performance viewing positions (parking space) for wheelchair persons in accordance with the following schedule:

<u>Capacity of Assembly Space</u>	<u>No. of Viewing Positions</u>
Up to 50	Minimum 1
51 to 100	Minimum 2
101 to 500	Minimum 3
501 to 1000	Minimum 4
1001 to 1500	Minimum 5

Over 1500 - Minimum 5 plus 1 for each 300 over 1500

(b) Viewing positions for wheelchair persons shall be provided in a reasonable and convenient section or sections of the facility by either or both of the following methods:

(1) Providing portable seats which can be easily removed;

(2) Providing clear space devoid of any portable or fixed seating arrangements.

These positions shall be located so as not to interfere with egress from any row of seats, shall be reachable by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

(c) There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

Section 5. In addition to the structures covered in Section 2 (a through i), certain other buildings are also included in this ordinance.

5.1 Restaurants, Department Stores, Other Retail and Wholesale Stores, Gas Stations.

(a) At least one outside door shall be a minimum of 32 inches wide. All inside doors and openings shall be a minimum of 32 inches wide.

(b) Section 4.8 of this Ordinance dealing with rest rooms shall apply.

5.2 Hotels, Motels, Apartment Buildings and Complexes.

One unit out of every 24 units shall have an outside door with a minimum of 32 inches in width. All doors and openings within the unit shall be at least 32 inches wide.

Section 6. For purposes of providing further information for planning purposes, the following definitions and data shall apply.

6.1 A Physically Disabled Person

A physically disabled person shall be defined as one who because of some disability, is confined to a wheelchair or has impairments that cause the individual to walk with difficulty or insecurity, including those individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills; sight disabilities of total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger; hearing disabilities or deafness that might make an individual insecure in buildings because he is unable to communicate or hear warning signals; disabilities of incoordination or peripheral nerve injury; aging or those manifestations of the aging process that significantly reduce mobility, flexibility, coordination, and perceptiveness not accounted for in the aforementioned categories.

6.2 Wheelchairs

The collapsible model wheelchair of tubular metal construction with plastic upholstery for back and seat is most commonly used. The standard model of all manufacturers falls within the following limits, which is used as the basis of considerations:

Length: 42 inches

Width: when open, 25 inches.

Height of seat from floor: 19 1/2 inches.

Height of pusher handles (rear) from floor: 36 inches.

Width, when collapsed: 11 inches.

The fixed turning radius of a standard wheelchair, wheel to wheel, is 18 inches. The fixed turning radius, front structure is 31.5 inches. The average turning space required (180 and 360 degrees) is 60 x 60 inches. (In an area with two open ends, such as might be the case in a corridor, a minimum of 54 inches between two walls would permit a 360 degree turn.)

6.3 Individual on Crutches

Most individuals on braces or crutches, or both, or on canes are able to manipulate within the specifications prescribed for wheelchairs, although doors present a problem at times.

On the average, individuals 5 feet 6 inches tall require an average of 31 inches between crutch tips in the normally accepted gates. On the average, individuals 6 feet 0 inches tall require an average of 32.5 inches between crutch tips in the normally accepted gaits. (Note: Some cerebral palsied individuals, and some severe arthritics, would be exceptions to the above specifications.)

Section 7. Enforcement and penalty shall be as follows:

- (a) A building permit shall not be granted unless the provisions of this ordinance are met by the applicant.
- (b) Violation of any provision of this ordinance, upon conviction, shall result in a fine not less than \$50.00 nor more than \$ 1,000.00.
- (c) Violators, once cited, shall have 120 days to correct said violation. Failure to do so shall constitute another violation of the Ordinance, and be subject to the penalty outlined in Section 5(b) above.

Section 8. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or portion of this ordinance.

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3 Section 9. This ordinance shall be in full force
4 and effect from and after its passage, approval by the Mayor,
5 and legal publication thereof.
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7 _____
8 Councilman
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29 Approved as form and legality
30 this 10th day of December, 1973.

31 John H. Logan
32 John H. Logan, City Council Attorney
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Read the first time in full and on motion by Stein, seconded by King, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 7/24/73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Stein, seconded by Talarico, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 12/11/73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. D-30-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Wingo Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 2 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P. M., E.S.T.

James H. Hagg
MAYOR

Bill No. G-73-07-18

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
amending the Building Code of the City of Fort Wayne, Indiana,
by adding thereto a new Division .

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do. PASS.

James S. Stier - Chairman

Eugene Kraus, Jr. - Vice-Chairman

Samuel J. Talarico

William T. Hinga

Vivian G. Schmidt

James S. Stier
Eugene Kraus, Jr.
Samuel J. Talarico
William T. Hinga
Vivian G. Schmidt

DATE 12-11-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Public Works - WC Memo for

BILL NO. G-73-07-18

GENERAL ORDINANCE NO. G-73-07-18

AN ORDINANCE amending the Building Code
of the City of Fort Wayne, Indiana, by
adding thereto a new Division.

WHEREAS, we live in an age of brotherhood and compassion
for all men; and

WHEREAS, there exists in Economic Region III (the Fort
Wayne area) 10,996 per 100,000 people who are afflicted with some
known disability; and

WHEREAS, there are countless other persons who due to
advanced age find certain impediments and hazards in making proper
use of said buildings:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

Section 1. Chapters 37, 38, 39, 40 and 41 as amended
and recodified by General Ordinance No. G-66-66 passed by the
Common Council on June 14, 1966 and approved by the Mayor on June
15, 1966 and all amendments thereto and supplements thereof is
hereby amended by adding thereto the following:

Section 2. The following buildings are included herein:

- (a) All public buildings - city, county, state and federal.
- (b) Cultural centers - theatres, museums, houses of exhibits.
- (c) Entertainment facilities - Movie houses, skating rinks, sports arenas, dance halls, clubhouses, lodges.
- (d) Recreational facilities - auditoriums, zoos, armories, coliseums, convention centers.
- (e) Medical and dental facilities.
- (f) Institutions - schools, nursing homes, church centers.
- (g) Churches and synagogues.
- (h) Banks, insurance companies and utilities.
- (i) Office Buildings.
- (j) Restaurants, department stores, other retail and wholesale stores (within a mall).
- (k) Hotels and motels.
- (l) Apartment buildings and complexes.
- (m) Gas stations.

Section 3. This Ordinance is applicable to:

- 3.1 (a) All new buildings as defined in Section 2.
- (b) All buildings remodeled after passage of this Ordinance where remodeling constitutes 50% of the total value of the building.
- 3.2 This Ordinance is not applicable to:
- (a) Buildings that are remodeled which have an historical value.
- 3.3 Features outlined in this Ordinance for incorporation into building designs which are based on, and are consistent with, the American National Standard Institute's specifications for making buildings and facilities accessible to, and usable by, the physically handicapped.

Section 4. The following features will be incorporated in all buildings defined as such under Section 2.

4.1 Grading - The grading of ground, even if contrary to existing topography, will be level with, at least one of the primary entrances. Note: In lieu of this, see 4.4 of this Section.

4.2 Walks - Walkways will be at least 48 inches wide, uninterrupted by steps or abrupt changes in levels.

4.3 Parking Lots - Spaces that are accessible and approximate to the facility should be set aside and identified for individuals with physical disabilities confined to wheelchairs.

- (a) These spaces should be at least 12 feet wide. These spaces should be located so that individuals on crutches and in wheelchairs are not compelled to pass behind parked cars.
- (b) If curbs exist between parking lot and building entrance, at least one section shall be curbed and identified.

4.4 Ramp -

- (a) A ramp shall be required in lieu of grading described in 4.1 of this Section.
- (b) The ramp shall not have a slope greater than 1 foot rise in 12 feet.
- (c) The ramp shall have a handrail on at least one side that is 32 inches high. The surface is to be non-slip and have a level surface at both top and bottom.

4.5 Entrances - At least one primary entrance shall be usable by individuals in wheelchairs.

4.6 Doors - Doors shall have a clear opening of at least 32 inches when open and be operated with a single effort.

4.7 Stairs - Stairs shall have handrails which will be 32 inches high.

4.8 Floors - The surface of floors shall be of a non-slip nature.

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3 4.9 Rest Rooms - An appropriate number of rest rooms within the
4 building shall be accessible to, and usable by, the physically
handicapped.

- 5 (a) Rest rooms shall have adequate space to allow wheel-
6 chair traffic.
7 (b) Rest rooms shall have at least one toilet stall that
8 (1) is 3 feet wide;
9 (2) is 4 feet 8 inches deep, at least;
10 (3) has a door 32 inches wide that swings out
11 (if doors are in existence);
12 (4) has handrails on each side - 33 inches high
13 fastened at both ends and center;
14 (5) has a water closet with the seat 20 inches from
15 the floor;
16 (c) Rest rooms shall have at least one wash basin with
17 narrow apron that is accessible to individuals in
18 wheelchairs.
19 (d) Rest rooms for men shall have at least one urinal
20 mounted with opening of basin 19 inches from floor
21 (as an alternative - floor mounted urinals that
22 are on level with the main floor of the restroom,
23 may be used).
24 (e) Rest rooms shall have at least one towel and other
25 dispensing units no higher than 40 inches from floor.

26 4.10 Water Fountains - An appropriate number of water fountains/
27 coolers shall be accessible to, and usable by, the physically disabled.
28 Such devices shall have up-front spouts and controls, and be hand
29 operated or hand and foot operated. These units must be mounted
30 30 inches from the floor.

31 4.11 Public Telephones -

- 32 (a) An appropriate number of public telephones shall
33 be accessible to, and usable by, the physically handi-
34 capped. Telephones shall be installed with a dial
35 no higher than 48 inches from the floor.
36 (b) At least one telephone shall be equipped so as
37 to provide service to those with hearing disabili-
38 ties (instructions for use will also be noted
39 next to the phone).

40 4.12 Elevators - Where elevators are required in a building,
41 at least one elevator shall be accessible to, and usable by, the
42 physically handicapped on the level that they use to enter the
43 building, and at all levels normally used by the general public.

44 4.13 Controls - Switches, mechanisms and controls for light,
45 heat, ventilation, fire alarms and other controls of essential
46 use shall be mounted so as to be reached by individuals in wheel
47 chairs.

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3 4.14 Warning Signals

- 4 (a) Audible warning signals shall be accompanied by
5 simultaneous visual signals for the benefit of
6 those with hearing disabilities.
7 (b) Visual signals shall be accompanied by simultaneous
8 audible signals for the benefit of the blind.

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10 4.15 Hotels and Motels

- 11 (a) One bedroom unit for every nineteen (19) bedroom
12 units built in the complex shall be made accessi-
13 ble to and usable by the physically handicapped
14 person.
15 (b) The bedroom units allocated for the physically
16 handicapped shall be proportionately distributed
17 throughout the range of size, quality and price
18 of all of the bedroom units in the complex.

19 In the event that the number of bedroom units allocated
20 for the physically handicapped is not sufficient to cover
21 the quality and size range incorporated in the total complex,
22 the bedroom units so allocated shall reflect the quality,
23 size and cost of the type of room which is predominant in
24 the complex.

25 4.16 Apartment Buildings and Complexes

- 26 (a) One apartment unit for every twenty-four (24)
27 apartment units built in the complex shall be
28 made accessible to and usable by the physically
29 handicapped persons.
30 (b) The proportion of apartment units for the phy-
31 sically handicapped which are studio, one-, two-,
32 three- and four-bedroom units shall be the same
33 as the proportion of said units in the total apart-
34 ment complex.

35 4.17 Seating Accommodations

- (a) Places of assembly with fixed seating arrangements
in the aforementioned buildings shall provide per-
formance viewing positions (parking space) for
wheelchair persons in accordance with the follow-
ing schedule:

Capacity of Assembly Space No. of Viewing Positions

Up to 50	Minimum 3
51 to 100	Minimum 6
101 to 500	Minimum 12
501 to 1000	Minimum 16
1001 to 1500	Minimum 20
Over 1500 - Minimum 20 plus 1 for each 300 over 1500	

(b) Viewing positions for wheelchair persons shall be provided in a reasonable and convenient section or sections of the facility by either or both of the following methods:

- (1) Providing portable seats which can be easily removed;
- (2) Providing clear space devoid of any portable or fixed seating arrangements.

These positions shall be located so as not to interfere with egress from any row of seats, shall be reachable by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

(c) There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

Section 5 - Enforcement and penalty shall be as follows:

- (a) A building permit shall not be granted unless the provisions of this ordinance are met by the applicant.
- (b) Violation of any provision of this ordinance, upon conviction, shall result in a fine not less than \$50.00 nor more than \$_____.
- (c) Violators, once cited, shall have 120 days to correct said violation. Failure to do so shall constitute another violation of the Ordinance, and be subject to the penalty outlined in Section 5(b) above.


Section 6. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or portion of this ordinance.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



Councilman

Approved as to form and legality
this 18 day of July, 1973.



City Council Attorney

REQUEST FOR ACTION

To: City Attorney David B. Keller
or
Associate City Attorney _____

From: (Name, Title & Department) Common Council

Approved by _____
(Person authorized to forward legal work)

Date: July 23, 1973

Subject: Ordinance requiring facilities for use of physically handicapped
(File subject designation)

File # Assigned by Records Librarian

#3197

Date: July 23, 1973

Action Requested: Ordinance requiring newly constructed buildings or 50%
remodeled buildings to install various devices to make same accessible
and for use of physically handicapped.

(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller
(If request originally sent to an Associate City Attorney)
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

DIGEST SHEET5-73-07-18
Butter Works

TITLE OF ORDINANCE An Ordinance amending the Building Code of the City
of Fort Wayne, Indiana by adding thereto a new Division

DEPARTMENT REQUESTING ORDINANCE Common Council

SYNOPSIS OF ORDINANCE Ordinance requiring new buildings or 50% remodeled
buildings for public use to have facilities for physically handicapped.

EFFECT OF PASSAGE Physically handicapped to have accessibility and use
of public buildings.

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

December 13, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of December 15 and December 22, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana, regard-
ing General Ordinance No. G-30-73
Amending the Building Code of
the City of Fort Wayne, Indiana.

Please send us four copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

Notice is hereby given that on the 11th day of December, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-73-07-18 (AS AMENDED 11-25-73) G-73-73 General Ordinance, to-wit:

BILL NO. G-73-07-18
(As Amended 11-25-73)
GENERAL ORDINANCE
No. G-3-73

AN ORDINANCE amending the Building Code of the City of Fort Wayne, Indiana, by adding thereto a new Division.

WHEREAS, we live in an age of brotherhood and compassion for all men; and WHEREAS, there exists in Economic Region III (the Fort Wayne area) 18,996 per 100,000 people who are afflicted with some known disability; and

WHEREAS, there are countless other persons who due to advanced age find certain modern conveniences in modern proper use of said buildings;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. Chapters 37, 38, 39, 40 and 41 as amended and recodified by General Ordinance No. G-64-46 passed by the Common Council on June 14, 1966 and approved by the Mayor on June 15, 1966 and all amendments thereto and supplements thereof is hereby amended by adding thereto the following:

Section 2. The following buildings are included herein:

- (a) All public buildings—city, county, state and federal.
- (b) Cultural centers—theatres, museums, houses of exhibits.
- (c) Entertainment facilities—Movie houses, skating rinks, sports arenas, dance halls, clubhouses, lodges.
- (d) Recreational facilities—auditoriums, zoos, armories, coliseums, convention centers.
- (e) Medical and dental facilities.
- (f) Institutions — schools, nursing homes, church centers.
- (g) Churches and synagogues.
- (h) Banks, insurance companies and utilities.
- (i) Office Buildings.

Section 3. This Ordinance is applicable to:

- 3.1 (a) All new buildings as defined in Section 2.
- 3.2 (b) All buildings remodeled after passage of this Ordinance where remodeling constitutes 50 per cent of the total value of the building.

Section 4. This Ordinance is not applicable to:

- 4.1 (a) Buildings that are remodeled which have an historical value.
- 4.2 (b) Features outlined in this Ordinance for incorporation into building designs which are based on and are consistent with the American National Standard Institute's specifications for making buildings and facilities accessible to, and usable by, the physically handicapped.

Section 4. The following features will be incorporated in all buildings defined as such under Section 2.

- 4.1 Grading—The grading of ground, even if contrary to existing topography, will be level with, at least one of the primary entrances. Note: In lieu of this, see 4.4 of this Section.

Section 4.2 Walkways—Walkways will be at least 48 inches wide, uninterrupted by steps or abrupt changes in levels.

- 4.3 (a) Parking Lots—Spaces that are accessible and appropriate to the facility should be set aside and identified for individuals with physical disabilities confined to wheelchairs.
- 4.4 (b) These spaces should be of at least 12 feet wide. These spaces should be located so that individuals on crutches and in wheelchairs are not compelled to pass behind parked cars.

Section 4.3 Curbs—If curbs exist between parking lot and building entrance, at least one section shall be ramped and identified.

- 4.4 (a) A ramp shall be required in lieu of grading described in 4.1 of this Section.
- 4.5 (b) The ramp shall not have a slope greater than 1 foot rise in 12 feet.
- 4.6 (c) The ramp shall have a handrail on at least one side that is 32 inches high. The surface is to be non-slip and have a level surface at both top and bottom.

Section 4.5 Entrances—At least one primary entrance shall be usable by individuals in wheelchairs.

- 4.6 (a) Doors—Doors shall have a clear opening of at least 32 inches when open and be operated with a single effect.
- 4.7 (b) Stairs—Stairs shall have handrails which will be 32 inches high.
- 4.8 (c) Rest rooms—An appropriate number of rest rooms within the building shall be accessible to, and usable by, the physically handicapped.

Section 4.6 Rest rooms shall have adequate space to allow wheelchair traffic.

- 4.9 (a) Rest rooms shall have at least one toilet stall that:
- 4.10 (1) is 3 feet wide;
- 4.11 (2) is 4 feet 8 inches deep, at least;
- 4.12 (3) has a door or opening 22 inches wide that swings out;
- 4.13 (4) has handrails on each side—23 inches high fastened at both ends and center;
- 4.14 (5) has a water closet with the seat 20 inches from the floor;
- 4.15 (6) Rest rooms shall have at least one towel and other dispensing units no higher than 48 inches from floor.

Section 4.7 Water Fountains—An appropriate number of water fountains—coolers shall be accessible to, and usable by, the physically disabled. Such devices shall have up-front spouts and controls, and be hand operated or hand and foot operated. These units must be mounted 38 inches from the floor.

Section 4.8 Public Telephones—

- 4.9 (a) An appropriate number of public telephones shall be accessible to, and usable by, the physically handicapped.
- 4.10 (b) Telephones shall be installed with a dial no higher than 48 inches from the floor.
- 4.11 (c) At least one telephone shall be equipped so as to provide service to those with hearing disabilities (Instructions for use will also be noted next to the phone).

Section 4.9 Elevators—Where elevators are required in a building, at least one elevator shall be accessible to, and usable by, the physically handicapped on the level that they use to enter the building, and at all levels normally used by the general public.

Section 4.10 Controls—Switches, mechanisms and controls for light, heat, ventilation, fire alarms and other controls of essential use shall be mounted so as to be reached by individuals in wheelchairs.

Section 4.11 Seating Accommodations

- 4.12 (a) Places of assembly with fixed seating arrangements in the aforementioned buildings shall provide performance viewing positions (parking spaces) for wheelchair persons in accordance with the following schedule:

Capacity of Assembly Space
No. of Viewing Positions

Up to 50	Minimum 1
51 to 100	Minimum 2
101 to 500	Minimum 3
501 to 1000	Minimum 4
1001 to 1500	Minimum 5
Over 1500—Minimum 5 plus 1 for each 300 over 1500.	

Section 4.12 Viewing positions for wheelchair persons shall be provided in a reasonable and convenient section or sections of the facility by either or both of the following methods:

- 4.13 (1) Providing portable seats which can be easily removed;
- 4.14 (2) Providing clear space devoid of any portable or fixed seating arrangements.

Section 4.13 These positions shall be located so as not to interfere with egress from any row of seats, shall be reachable by means of ramps and/or elevators, and shall not intrude upon aisle requirements.

Section 4.14 There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

Section 5. In addition to the structures covered in Section 2 (a through i), certain other buildings are also included in this ordinance.

Section 5.1 Restaurants, Department Stores, Other Retail and Wholesale Stores, Gas Stations.

- 5.2 (a) At least one outside door shall be a minimum of 32 inches wide. All inside doors and openings shall be a minimum of 32 inches wide.
- 5.3 (b) Section 4.8 of this Ordinance dealing with rest rooms shall apply.

PUBLISHER'S AFFIDAVIT

State of Indiana } as:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman, who, being duly sworn, says

that she is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for 2 time s, the dates of publication being as follows:

12/15-22/73

Subscribed and sworn to before me this 24th day of December 19 73

Notary Public

My commission expires March 8, 1974

or providing that same device at any position shall be located so as not to interfere with egress from any row of seats, shall be reachable by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

(c) There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

Section 5. In addition to the structures covered in Section 2 (a through i), certain other buildings are also included in this ordinance.

5.1 Restaurants, Department Stores, Other Retail and Wholesale Stores, Gas Stations.

(a) At least one outside door shall be a minimum of 32 inches wide. All inside doors and openings shall be a minimum of 32 inches wide.

(b) Section 4.8 of this Ordinance dealing with rest rooms shall apply.

5.2 Hotels, Motels, Apartment Buildings and Complexes.

One unit out of every 24 units shall have an outside door with a minimum of 32 inches in width. All doors and openings within the unit shall be at least 32 inches wide.

Section 6. For purposes of providing further information for planning purposes, the following definitions and data shall apply:

6.1 A Physically Disabled Person. A physically disabled person shall be defined as one who because of some disability, is confined to a wheelchair or has impairments that cause the individual to walk with difficulty or insecurity, including those individuals using braces or crutches, emphysema, arthritis, spastics, and those with pulmonary and cardiac illis; slight disabilities of total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger; hearing disabilities or deafness that might make an individual insecure in buildings because he is unable to communicate or hear warning signals; disabilities of incoordination or peripheral nerve injury; or any of those manifestations of the aging process that significantly reduce mobility, flexibility, coordination, and perceptiveness not accounted for in the aforementioned categories.

6.2 Wheelchairs.

The collapsible model wheelchair of tubular metal construction with plastic upholstery for back and seat is most commonly used. The standard model of all manufacturers falls within the following limits, which is used as the basis of considerations:

Length: 42 inches

Width: when open, 25 inches.

Height of seat from floor: 19 1/2 inches.

Height of pusher handles (rear) from floor: 36 inches.

Width, when collapsed: 11 inches.

The fixed turning radius of a standard wheelchair, wheel to wheel, is 18 inches. The fixed turning radius, front structure is 21.5 inches. The average turning space required (180 and 360 degrees) is 60 x 60 inches (in an area with two open ends, such as might be the case in a corridor, a minimum of 34 inches between two walls would permit a 360 degree turn.)

6.3 Individual on Crutches.

Most individuals on braces or crutches, or both, or on canes are able to maneuver within the specifications prescribed for wheelchairs, although some present a problem at times.

On the average, individuals 5 feet 6 inches tall require an average of 31 inches between crutch tips in the normally accepted gates. On the average, individuals 6 feet 0 inches tall require an average of 32.5 inches between crutch tips in the normally accepted gates. (Note: Some cerebral palsied individuals, and some severe arthritics, would be exceptions to the above specifications.)

Section 7. Enforcement and penalty shall be as follows:

(a) A building permit shall not be granted unless the provisions of this ordinance are met by the applicant.

(b) Violation of any provision of this ordinance, upon conviction, shall result in a fine not less than \$50.00 nor more than \$1,000.00.

(c) Violators, once cited, shall have 10 days to correct said violation. Failure to do so shall constitute another violation of the Ordinance, and be subject to the penalty outlined in Section 3(b) above.

Section 8. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or portion of this ordinance.

Section 9. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and local publication thereof.

JAMES S. STIER, Councilman
Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Krous, Moses, Nuckolls, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

CHARLES W. WESTERMAN

DATE: 12-11-73

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-38-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman

City Clerk

Winfield C. Moses, Jr.

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-38-73 passed by the Common Council on the 11th day of December, 1973 and that said Ordinance was duly signed and approved by the Mayor on the 12th day of December, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of December, 1973.

CHARLES W. WESTERMAN

City Clerk

Ft. Wayne Common Council
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	<u>16</u>
Body	number of lines	<u>333</u>
Tail	number of lines	<u>38</u>
Total number of lines in notice		<u>387</u>

COMPUTATION OF CHARGES

387 lines, 1 columns wide equals 387 equivalent lines at 288¢ ¢ 111.46
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM ¢ 112.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 24, 19 73

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

12/15-22/73

Subscribed and sworn to before me this 24 day of December 19 73

Earle Stapleton
Notary Public

My commission expires March 8, 1974

4.6 Doors—3.2 Hotels—2.5 A floor open-
ing of 10. One unit out of every 24 units shall have
operated on an outside door with a minimum of 32
4.7 Stair inches in width. All doors and openings
which will within the unit shall be at least 32 inches
4.8 Rest R wide.
handicap 1. For purposes of providing fun-
damental information for planning purposes, the
space 1. A physically Disabled Person
one for defined as one who because of some
disability, is confined to a wheelchair
(1) visual, including those individuals us-
(2) ing braces or crutches, amputees, or
wide (3) rities, spasms, and those with
(4) abilities of total blindness or impair-
ments affecting sight to the extent that
(5) the individual functioning in public
cent (6) areas is insecure exposed to danger
20 in hearing disabilities or deafness that
(7) might make an individual insecure in
num buildings because he is unable to com-
municate or hear warning signals; dis-
accor abilities of incurable or permanent
disor (8) injury; aging or these mani-
spou or (9) fitions of the aging process that
mus (10) significantly reduce mobility, flexibility,
4. coordination, and perceptiveness not
categories reported for in the aforementioned
6.2 Wheelchairs
The collapsible model wheelchair of
tubular metal construction with plastic
commonly used for back and seat is most
of manufacturers falls within the fol-
lowing limits, which is used as the
of consideration:
Length: 42 inches
Width: 20 inches
Height of seat from floor: 19½
Inches
Height of seat from floor: 19½
Inches
Height of pusher handles (rear) from
floor: 34 inches.
Width, when collapsed: 11 inches.
The fixed turning radius of a stan-
dard wheelchair, wheel to wheel, is 48

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:
12/15-22/73

Subscribed and sworn to before me this 24th day of December 1973

Notary public

My commission expires March 8, 1974

Notice is hereby given that on the 11th day of December, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-73-27-18 (AS AMENDED 11-25-73) G-30-10 General Ordinance, to-wit:
BILL NO. G-73-27-18
GENERAL ORDINANCE NO. G-30-10

A N ORDINANCE amending the Building Code of the City of Fort Wayne, Indiana, by adding thereto a new Division:
WHEREAS, we live in an age of brotherhood and compassion for all men and WHEREAS, there exists in Economic Region III (the Fort Wayne area) 10.9% per cent of the population who are afflicted with some known disability; and
WHEREAS, there are countless other persons who due to advanced age find certain impediments and hazards in making use of said buildings;
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: Sections 37, 38, 39, 40 and 41 as amended and recodified by General Ordinance No. G-64 passed by the Common Council on June 14, 1966 and approved by the Mayor on June 15, 1966 and all amendments thereto and supplements thereto is hereby amended by adding thereto the following:

- (a) The following buildings are listed herein:
(1) All public buildings—city, county, state and federal.
(2) Cultural centers—Theatres, museums, houses of exhibits.
(3) Entertainment facilities—Movie houses, skating rinks, sports arenas, dance halls, clubhouses, lodges.
(4) Recreational facilities—auditoriums, zoos, ornitorios, coliseums, convention centers.
(5) Medical and dental facilities.
(6) Institutions—schools, nursing homes, church centers.
(7) Churches and synagogues.
(8) Banks, insurance companies and utilities.

(b) Office Buildings.

Section 3. This Ordinance is applicable to:

3.1 (a) All new buildings as defined in Section 2.

(b) All buildings remodeled after passage of this Ordinance where remodeling constitutes 50 per cent of the total value of the building.

3.2 This Ordinance is not applicable to:

(a) Buildings that are remodeled which have an historical value.

3.3 Features outlined in this Ordinance for incorporation into building designs which are based on, and are consistent with, the American National Standard Institute's specifications for making buildings and facilities accessible to, and usable by, the physically handicapped.

Section 4. The following features will be incorporated in all buildings defined as such under Section 2.

4.1 Grading—The grading of ground, even if contrary to existing topography, will be level with, at least one of the primary entrances. Note: In lieu of this, see 4.4 of this Section.

4.2 Walls—Walkways will be at least 48 inches wide, uninterrupted by steps or abrupt changes in levels.

4.3 Parking Lots—Spaces that are accessible and approximate to the facility should be set aside and designated for individuals with physical disabilities confined to wheelchairs.

(a) These spaces should be at least 12 feet wide. These spaces should be located so that individuals on crutches and in wheelchairs are not compelled to pass behind parked cars.

(b) If curbs exist between parking lot and building entrance, at least one section shall be ramped and identified.

4.4 Ramps—

(a) A ramp shall be required in lieu of grading described in 4.1 of this Section.

(b) The ramp shall not have a slope greater than 1 foot rise in 12 feet.

(c) The ramp shall have a handrail on at least one side that is 32 inches high. The surface is to be non-slip and have a level surface of both top and bottom.

4.5 Entrances—At least one primary entrance shall be usable by individuals in wheelchairs.

4.6 Doors—Doors shall have a clear opening of at least 32 inches when open and be operated with a single effect.

4.7 Stairs—Stairs shall have handrails which will be 32 inches high.

4.8 Rest Rooms—An appropriate number of rest rooms within the building shall be accessible to, and usable by, the physically handicapped.

(a) Rest rooms shall have adequate space to allow wheelchair traffic.

(b) Rest rooms shall have at least one toilet stall that:

(1) is 3 feet wide;

(2) is 4 feet 8 inches deep, at least;

(3) has a door or opening 32 inches wide that swings out;

(4) has handrails on each side—33 inches high fastened at both ends and center.

(5) has a water closet with the seat 20 inches from the floor.

(c) Rest rooms shall have at least one towel and other dispensing units no higher than 40 inches from floor.

4.9 Water Fountains—An appropriate number of water fountains-coolers shall be accessible to, and usable by, the physically disabled. Such devices shall have up-front spouts and controls, and be hand operated or hand and foot operated. These units must be mounted 30 inches from the floor.

4.10 Public Telephones

(a) An appropriate number of public telephones shall be accessible to, and usable by, the physically handicapped.

Telephones shall be installed with a dial no higher than 48 inches from the floor.

(b) At least one telephone shall be equipped so as to provide service to those with hearing disabilities (instructions for use will also be noted next to the phone).

4.11 Elevators—Where elevators are required in a building, at least one elevator shall be accessible to, and usable by, the physically handicapped on the level that they use to enter the building, and at all levels normally used by the general public.

4.12 Controls—Switches, mechanisms and controls for light, heat, ventilation, fire alarms and other controls or essential use shall be mounted so as to be reached by individuals in wheelchairs.

4.13 Seating Accommodations

(a) Places of assembly with fixed seating arrangements in the aforementioned buildings shall provide performance viewing positions (parking space) for wheelchair persons in accordance with the following schedule:

Capacity of Assembly Space

No. of Viewing Positions

Up to 100 Minimum 2

101 to 500 Minimum 3

501 to 1000 Minimum 5

1001 to 1500 Minimum 5 plus 1 for each 300 over 1500.

(b) Viewing positions for wheelchair persons shall be provided in a reasonable and convenient section or sections of the facility by either or both of the following methods:

(1) Providing portable seats which can be easily removed;

(2) Providing clear space devoid of any portable or fixed seating arrangements.

These positions shall be located so as not to interfere with egress from any row of seats, shall be accessible by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

(c) There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

Section 5. In addition to the structures covered in Section 2 (a through i), certain other buildings are also included in this Ordinance.

5.1 Restaurants, Department Stores, Office Retail and Wholesale Stores, Gas Stations.

(a) At least one outside door shall be a minimum of 32 inches wide. All inside doors and openings shall be a minimum of 32 inches wide.

(b) Section 4.8 of this Ordinance dealing with rest rooms shall apply.

5.2 Hotels, Motels, Apartment Buildings and Composites.

...persons to be provided by individuals in wheelchair.

4.13 Seating Accommodations
(a) Places of assembly with fixed seating arrangements in the aforementioned buildings shall provide performance viewing positions (parking space) for wheelchair persons in accordance with the following schedule:

Capacity of Assembly Space No. of Viewing Positions	
Up to 50	Minimum 1
51 to 100	Minimum 2
101 to 200	Minimum 3
201 to 500	Minimum 4
501 to 1000	Minimum 5
1001 to 1500	Minimum 6
Over 1500	Minimum 5 plus 1 for each 300 over 1500.

(b) Viewing positions for wheelchair persons shall be provided in a reasonable and convenient section or sections of the facility by either or both of the following methods:

- (1) Providing portable seats which can be easily removed;
- (2) Providing clear space devoid of any portable or fixed seating arrangements.

These positions shall be located so as not to interfere with access from any row of seats, shall be reachable by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

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5.1 Restaurants, Department Stores, Other Retail and Wholesale Stores, Gas Stations.

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(b) Section 4.8 of this Ordinance dealing with rest rooms shall apply.

5.2 Hotels, Motels, Apartment Buildings and Complexes.

One unit out of every 24 units shall have an outside door with a minimum of 32 inches in width. All doors and openings within the unit shall be at least 32 inches wide.

Section 6. For purposes of providing further information for planning purposes, the following definitions and data shall apply:

6.1 A Physically Disabled Person

A physically disabled person shall be defined as one who because of some disability, is confined to a wheelchair or has impairments that cause the individual to walk with difficulty or insecurity, including those individuals using braces or crutches, amputees, orthotics, prosthetics, and those with pulmonary and cardiac illness; sight disabilities or total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger; hearing disabilities or deafness that might make an individual insecure in buildings because he is unable to communicate or hear warning signals; disabilities of incoordination or peripheral nerve injury; aging or those manifestations of the aging process that significantly reduce mobility, flexibility, coordination, and perceptiveness not accounted for in the aforementioned categories.

6.2 Wheelchairs

The collapsible model wheelchair of tubular metal construction with plastic upholstery for back and seat is most commonly used. The standard model of all manufacturers falls within the following limits, which is used as the basis of considerations:

- Length: 42 inches
- Width: when open, 25 inches.
- Height of seat from floor: 19 1/2 inches.
- Height of pusher handles (rear) from floor: 35 inches.
- Width, when collapsed: 11 inches.

The fixed turning radius of a standard wheelchair, wheel to wheel, is 18 inches. The fixed turning radius, front structure to rear axle, the average (over) is 31 1/2 inches. The average (over) is 60 x 40 inches (in an area with two open ends, such as might be the case in a corridor a minimum of 54 inches between two walls would permit a 360 degree turn.)

6.3 Individual on Crutches

Most individuals on braces or crutches, or both, or on canes are able to be prescribed within the specifications doors present a problem at times.

On the average, individuals 5 feet 6 inches tall require an average of 21 inches between crutch tips in the normally accepted gait. On the average, individuals 6 feet 0 inches tall require an average of 22 1/2 inches between crutch tips in the normally accepted gait. (Note: Some cerebral palsied individuals, and some severe arthritis, would be exceptions to the above specifications.)

Section 7. Enforcement and penalty shall be as follows:

(a) A building permit shall not be granted unless the provisions of this ordinance are met by the applicant.

(b) Violation of any provision of this ordinance upon conviction, shall result in a fine not less than \$50.00 nor more than \$1,000.00.

(c) Violators, once cited, shall have 120 days to correct said violation. Failure to do so shall constitute another violation of the Ordinance, and be subject to the penalty outlined in Section 8(b) above.

Section 8. If any part, parts, section, sections, provision, clause or portion of this constitutional, such invalidity or unconstitutionality shall not affect the validity or whole or any other part, section, clause, provision, or portion of this ordinance.

Section 9. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

JAMES S. STIER, Councilman
Read the third time in full and on motion
by Stier, seconded by Talarico, and duly
adopted, placed on its passage PASSED by
Ayes: Nine

Nays: None
Burke, Hingo, Kraus, Moses, Nuckels, D.
Schmidt, V. Schmidt, Stier, Talarico

CHARLES W. WESTERMAN
City Clerk

Winfield C. Moses, Jr.
Presented by me to the Mayor of the City
of Fort Wayne, Indiana, on the 12th day of
December, 1973, at the hour of 10:00 o'clock
A.M., E.S.T.

Charles W. Westerman
City Clerk
Approved and signed by me this 12th day
of December, 1973, at the hour of 3:00
o'clock P.M., E.S.T.

IVAN A. LEBAMOFF
Mayor
City of Fort Wayne, Indiana, do hereby cer-
tify that the above and foregoing is a full,
true and complete copy of General Ordinance

Resolution No. G-30-73 passed by the Common Council on the 11th day of December, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of December, 1973 and now remains on file and on record in my office.
WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of December, 1973.
CHARLES W. WESTERMAN
City Clerk

SEAL
12-15-73

DATE: 12-11-73
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-30-73 on the 11th day of December, 1973.
ATTEST: (SEAL)

Ft. Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

16

Body number of lines

333

Tail number of lines

38

Total number of lines in notice

387

COMPUTATION OF CHARGES

387 lines, 1 columns wide equals 387 equivalent lines at 288 1/2 cents per line

\$111.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$112.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date December 24, 1973

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says

that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

12/15-22/73

Subscribed and sworn to before me this 24th day of December, 1973

Arvilla DeWald

Edith Stapleton
Notary Public

My commission expires March 8, 1974

cessible to, and usable by, the physically handicapped.

(6) Rest rooms shall have adequate space to allow wheelchair traffic.

(7) Rest rooms shall have at least one toilet stall that:

(1) is 3 feet wide;

(2) is 4 feet 8 inches deep, at least;

(3) has a door or opening 32 inches wide that swings out.

Nothing shall affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause, or sentence.

I wish I had a map of the seatr Can you help me get one? D.G.P.

A complete seating schedule general office.

How can I contact Curtis E. Strategic Air Command during the

DATE: 12-11-73
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 11th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

ATTEST: (SEAL) Charles W. Westernman City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. 11-11-73.

should be useful in the

added that only information electronic memory banks. She